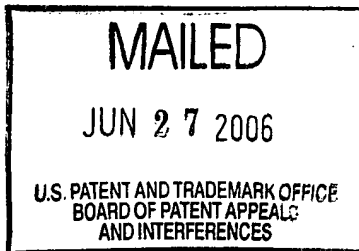


UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte ANDREJ KOCEV, SAMUEL H. DUNCAN  
and  
STEVEN HO

---

Application 09/944,776

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on June 23, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

An examination of the Image File Wrapper (IFW) reveals that an Appeal Brief was filed on February 9, 2006. The Appeal Brief does not comply with section 1205.02 of the Manual of Patent Examining Procedure (MPEP) (8th Ed., Rev. 3, August 2005), which states:


The copy of the claims should be a clean copy and should not include any markings such as brackets or underlining except for claims in a reissue application.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for notification to appellants to submit a new Claims Appendix which contains a clean copy of claim 37; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
DALE M. SHAW  
Deputy Chief Appeal Administrator  
(571) 272-9797

DMS:psb

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